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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	<b>10/780,297</b>
	Filing Date	<b>February 17, 2004</b>
	First Named Inventor	<b>Apollon Papadimitriou</b>
	Art Unit	<b>1656</b>
	Examiner Name	<b>Kam, Chih Min</b>
Total Number of Pages in This Submission	Attorney Docket Number	<b>20619 US1</b>

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<b>Neose Technologies, Inc. and BioGeneriX Ag Oppositions, and Supplemental Information Disclosure Statement Fee Sheet</b>	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	<b>Patricia S. Rocha-Tramaloni</b>	
Signature		
Date	<b>Feb. 13, 2006</b>	

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Typed or printed name	<b>Patricia S. Rocha-Tramaloni</b>	
Signature		Date <b>Feb. 13, 2006</b>

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PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor: Apollon Papadimitriou

Group: 1656

Serial No. 10/780,297, filed February 17, 2004  
(Ref. No. 20619 US1)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**REQUEST TO CHARGE DEPOSIT ACCOUNT**

Nutley, New Jersey 07110  
Date: February 13, 2006

Mail Stop: Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** in the above-identified application.

- ☒ Please charge Deposit Account No. 08-2525 in the amount of \$180.00 which is the fee in connection with the filing of the enclosed paper.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2525.

02/17/2006 BABRAHA1 00000039 082525 10780297

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Serial No. 10/780,297  
Filed: February 17, 2004

X This sheet is provided in duplicate.

Respectfully submitted,



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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou

Group: 1656

Application No. 10/780,297, filed February 17, 2004      Examiner: Kam, Chih Min  
(Case Docket No. 20619 US1)

For: **ERYTHROPOIETIN COMPOSITION**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110

Date: February 13, 2006

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to two additional oppositions filed in Europe against European Patent EP 1 311 285, which corresponds to the instant application: one filed by Neose Technologies, Inc. and one by BioGeneriX Ag.

A copy of the opposition papers received by applicant's European affiliate is enclosed. Documents A21-A26 listed on the enclosed Form PTO 1449 correspond to foreign documents that were cited in the above-mentioned oppositions, and have not already been cited in the instant application. These documents, copies of which are not enclosed because they are U.S. Patents or applications, are herein brought to the Examiner's attention.

Appl. No. 10/780,297  
Filed: February 17, 2004

It is respectfully submitted that these documents are no more relevant than the references already of record.

The Examiner's attention is particularly directed to US 2003/0092622 which discusses, inter alia, protein formulations containing tryptophan and optional also methionine (see, e.g., page Paragraph [0050]).

The Examiner's attention is also directed to US 2004/0038878 which discusses injectable pharmaceutical formulations containing a protein, including for example an EPO, and at least one sugar as a soothing agent and having a pH of 6.5-7.4. In Paragraph [0038] methionine is stated to be an optional stabilizer.

Consideration of all the documents cited on Form PTO-1449 is requested.

Respectfully submitted,



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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)				Application Number	10/780,297
				Filing Date	February 17, 2004
				First Name Inventor	Apollon Papadimitriou
				Group Art Unit	1656
				Examiner Name	Kam, Chih Min
Sheet	1	of	1	Attorney Docket Number	20619 US1

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A21	5,354,934		Colin G. Pitt, et al.	10-11-1994
	A22	6,372,715 (WO 99/07401)	B1	Joachim Peter Kaltwasser, et al.	04-16-2002
	A23	6,440,932 (WO 98/58660)	B1	Paul Lehmann, et al.	08-27-2002
	A24	6,586,398 ( WO 2001/76640)	B1	Olaf Kinstler, et al.	07-01-2003
	A25	2003/0092622 (EP 1260230)	A1	Yasushi Sato, et al.	05-15-2003
	A26	2004/0038878 (EP 1336410)	A1	Masahiko Tanikawa, et al.	02-26-2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
Examiner Signature		Date Considered				

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.